

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

-----oo0oo-----

ERIC REASON, an individual;
STEPHANIE BASS, an individual;
RASHEED REASON, individually and
as Co-Successor-in-Interest to
Decedent ERIC REASON II; TYRIQUE
REASON, individually and as Co-
Successor-in-Interest to
Decedent ERIC REASON II; K.R.,
individually and as Co-
Successor-in-Interest to
Decedent ERIC REASON II, by and
through his Guardian Ad litem
LATISHA PARKER; P.R.,
individually and as Co-
Successor-in-Interest to
Decedent ERIC REASON II, by and
through his Guardian Ad Litem
LATISHA PARKER; N.M.,
individually and as Co-
Successor-in-Interest to
Decedent ERIC REASON II, by and
through his Guardian Ad Litem
NIA MILLS; E.L.R., individually
and as Co-Successor-in-Interest
to Decedent ERIC REASON II, by
and through his Guardian Ad
Litem SHAWNTAY DAVIS; I.R.V.,
individually and as Co-
Successor-in-Interest to
Decedent ERIC REASON II, by and
through his Guardian Ad Litem
JULIA VELASQUEZ;

No. 2:20-cv-01900 WBS JDP

ORDER

Plaintiffs,

v.

CITY OF RICHMOND, a municipal
corporation, and the ESTATE OF
VIRGIL THOMAS, individually and
in his capacity as Police
Sergeant for the CITY OF
RICHMOND,

Defendants.

-----oo0oo-----

On December 6, 2023, the parties settled all claims.
(Docket No. 86.) Minor plaintiffs P.R., E.J.R., and I.V.R. now
bring unopposed motions to appoint guardians ad litem and for
minor's compromise. (Docket Nos. 97-99.)

I. Appointment of Guardians Ad Litem

P.R., E.J.R., and I.V.R. each move to appoint their
biological mothers, Latisha Parker, Shawntay Davis, and Julia
Velasquez, respectively, as guardians ad litem. No objections to
these appointments have been raised. Furthermore, plaintiffs'
motions demonstrate that (1) no general guardian has been
appointed for any of the minor plaintiffs and no previous
petition for guardian ad litem has been filed in this matter; and
(2) each guardian is a competent and reasonable person, qualified
to become the guardian ad litem of said minors, and consents to
act in such a capacity.

Accordingly, plaintiffs' motions to appoint guardians
ad litem will be granted.

II. Minors' Compromise

Minor plaintiffs seek the court's approval of the

1 parties' settlement, which would allocate \$13,606.14 for each
2 biological child of decedent plaintiff Eric Reason.

3 The Ninth Circuit has determined that Federal Rule of
4 Civil Procedure 17(c) imposes on the court the responsibility to
5 safeguard the interests of child-litigants. See Robidoux v.
6 Rosengren, 638 F.3d 1177, 1181 (9th Cir. 2011). Thus, the court
7 is obligated to independently investigate the fairness of the
8 settlement even where the parent has recommended it. Id. at
9 1181; see also Salmeron v. United States, 724 F.2d 1357, 1363
10 (9th Cir. 1983) (holding that "a court must independently
11 investigate and evaluate any compromise or settlement of a
12 minor's claims to assure itself that the minor's interests are
13 protected, even if the settlement has been recommended or
14 negotiated by the minor's parent or guardian ad litem").

15 To that end, the parties must disclose to the court,
16 among other things, "the manner in which the compromise amount or
17 other consideration was determined, including such additional
18 information as may be required to enable the Court to determine
19 the fairness of the settlement or compromise" E.D. Cal.
20 L.R. 202(b)(2).

21 Plaintiffs' motions supply none of this information.
22 Their moving papers fail to explain how \$13,606.14 is a fair and
23 reasonable settlement amount for each minor child. The
24 plaintiffs offer no analysis on the likelihood of success on each
25 of their claims were the case to go to trial. Neither do they
26 substantiate the amount of each category of damages, such as the
27 emotional or financial support that decedent was providing to his
28 children prior to his death or could be expected to provide in

1 the future, or the reasonable funeral and burial expenses that
2 plaintiffs actually incurred.

3 Accordingly, the court cannot presently perform its
4 obligation of determining whether the \$13,606.14 being paid to
5 each child is "fair and reasonable." See Robidoux, 638 F.3d at
6 1182.

7 IT IS THEREFORE ORDERED that the hearing on these
8 motions, currently scheduled on March 18, 2024 be, and the same
9 hereby is VACATED.

10 IT IS FURTHER ORDERED that plaintiffs' motions to
11 appoint guardians ad litem (Docket Nos. 97-99) be, and the same
12 hereby are, GRANTED. Latisha Parker shall be appointed guardian
13 ad litem for minor P.R.; Shawntay Davis shall be appointed
14 guardian ad litem for minor E.J.R; and Julia Velasquez shall be
15 appointed guardian ad litem for minor I.V.R.

16 IT IS FURTHER ORDERED that plaintiffs' motions to
17 approve minor's compromise (Docket Nos. 97-99) be, and the same
18 hereby are, DENIED without prejudice. Plaintiffs are directed to
19 file and notice for hearing amended motions consistent with this
20 order for minor's compromise within fourteen days of the date of
21 this order.

22 Dated: March 6, 2024



23 WILLIAM B. SHUBB

24 UNITED STATES DISTRICT JUDGE